



GOVERNMENT OF INDIA

Chandigarh Administration Gazette

Published by Authority

NO. 117] CHANDIGARH, FRIDAY, AUGUST 16, 2024 (SRAVANA 25, 1946 SAKA)

CHANDIGARH ADMINISTRATION
HOME DEPARTMENT
(POLICE BRANCH)

Notification

The 16th August, 2024

No.1683277-HIII(2)-2024/11843.—In exercise of the powers conferred by Section 398 of the Bharatiya Nagarik Surksha Sanhita, 2023 (Act 46 of 2023) read with Government of India, Ministry of Home Affairs Notification bearing No.SO 2506 (E) dated 28.06.2024, the Administrator, Union Territory, Chandigarh is pleased to frame the following scheme:—

1. SHORT TITLE AND COMMENCEMENT:

- The Scheme shall be called "The Chandigarh Witness Protection Scheme, 2024"
- It shall come into force from the date of publication of this Notification in the official Gazette.

Part I

2. DEFINITIONS:

- "Sanhita" means the Bharatiya Nagarika Suraksha Sanhita, 2023 (Act No. 46 of 2023);
- "Concealment of Identity of Witness" means and includes any condition prohibiting publication or revealing, in any manner, directly or indirectly, of the name, address and other particulars which may lead to the identification of the witness during investigation, trial and post-trial stage;
- "Competent Authority" means a Standing Committee in Chandigarh to be Chaired by District and Sessions Judge, UT, Chandigarh with Senior Superintendent of Police as Member and District Attorney, District Court, Chandigarh as its Member Secretary.
- "Family Member" includes parents/guardian, spouse, live-in partner, siblings, children, grandchildren of the witness;
- "Form" means "Witness Protection Application Form" appended to this Scheme; Chandigarh Witness Protection Scheme, 2024.
- "In Camera Proceedings" means proceedings wherein the Competent Authority/Court allows only those persons who are necessarily to be present while hearing and deciding the witness protection application or deposing in the court;

Signature Not Verified
Digitally Signed by
Jalinder Kumar
08-08-2024 16:16:16
03-55-43 IS
Reason: Published
Location:

(1959)

*This is Digitally Signed Gazette. To verify, visit :
<https://egazette.chd.gov.in>*

- (g) "Live Link" means and include a live video link or other such arrangement whereby a witness, while not being physically present in the courtroom for deposing in the matter or interacting with the Competent Authority;
- (h) "Witness Protection Measures" means measures spelt out in Clause 7, Part-III, Part- IV and Part V of the Scheme.
- (i) "Offence" means those offences which are punishable with death or life imprisonment or an imprisonment up to seven years and above and also offences punishable under Section 74, 75, 76, 77, 78 and 79 of this Sanhita.
- (j) "Threat Analysis Report" means a detailed report prepared and submitted by the Superintendent of the Police regarding investigation of the case as well as with regard to the seriousness and credibility of the threat perception to the witness or his family members. It shall contain specific details about the nature of threats faced by the witness or his family to their life, reputation or property apart from analyzing the extent, the person or persons making the threat, have the intent, motive and resources to implement the threats. It shall also categorize the threat perception apart from suggesting the specific witness protection measures which deserves to be taken in the matter;
- (k) "Witness" means any person, who possesses information or document about any offence;
- (l) "Witness Protection Application" means an application moved by the witness in the prescribed form before a Competent Authority through its Member Secretary for seeking Witness Protection Order. It can be moved by the witness, his family member, his duly engaged counsel or IO/SHO/SDPO/Jail Superintendent, Model Jail, Burail, Chandigarh.
- (m) "Witness Protection Fund" means the fund created for bearing the expenses incurred during the implementation of Witness Protection Order passed by the Competent Authority under this scheme.
- (n) "Witness Protection Order" means an order passed by the Competent Authority detailing the witness protection measures to be taken.
- (o) "Witness Protection Cell" means a dedicated Cell of Chandigarh Police assigned with the duty to implement the witness protection order.

Part II

3. CATEGORIES OF WITNESS AS PER THREAT PERCEPTION:

Category 'A':

Where the threat extends to life of witness or his family members, during investigation/trial or thereafter.

Category 'B':

Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation/trial or thereafter.

Category 'C':

Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's, reputation or property, during the investigation/trial or thereafter.

4. STATE WITNESS PROTECTION FUND:

- (a) There shall be a Fund, namely, the Witness Protection Fund from which the expenses incurred during the implementation of Witness Protection Order passed by the Competent Authority and other related expenditure, shall be met.

- (b) The Witness Protection Fund shall comprise the following :-
 - i. Budgetary allocation made in the Annual Budget by the Chandigarh Administration;
 - ii. Receipt of amount of costs imposed/ ordered to be deposited by the courts/ tribunals in the Witness Protection Fund;
 - iii. Donations/contributions Philanthropist/ from Charitable Institutions/Organizations and individuals permitted by UT, Chandigarh;
 - iv. Funds contributed under Corporate Social Responsibility.
- (c) The said Fund shall be operated by the Home Department UT, Chandigarh.

5. FILING OF APPLICATION BEFORE COMPETENT AUTHORITY:

The application for seeking protection order under this scheme can be filed in the prescribed form (Appendix-I) before the Competent Authority, through its Member Secretary along with supporting documents, if any.

6. PROCEDURE FOR PROCESSING THE APPLICATION:

- (a) As and when an application is received by the Member Secretary of the Competent Authority, in the prescribed form, he shall forthwith pass an order for calling for the threat Analysis Report from the SDPO/DSP in charge of the concerned Police Sub- Division.
- (b) Depending upon the urgency in the matter owing to imminent threat, the Competent Authority can pass orders for interim protection of the witness or his family members during the pendency of the application.

Provided that nothing shall preclude police from providing immediate protection in case of grave and imminent threat to the life of applicant and his family members.

- (c) The Threat Analysis Report shall be prepared expeditiously while maintaining full confidentiality and it shall reach the Competent Authority within five working days of receipt of the order.
- (d) The Threat Analysis Report shall categorize the threat perception and also include suggestive protection measures for providing adequate protection to the witness or his family.
- (e) While processing the application for witness protection, the Competent Authority shall also interact preferably in person and if not possible through electronic means with the witness and/or his family members/employers or any other person deemed fit so as to ascertain the witness protection needs of the witness.
- (f) All the hearings on Witness Protection Application shall be held in-camera by the Competent Authority while maintaining full confidentiality.
- (g) An application shall be disposed of within five working days of receipt of Threat Analysis Report from the Police Authorities.
- (h) The Witness Protection Order passed by the Competent Authority shall be implemented by the Witness Protection Cell of the Chandigarh or the Trial Court, as the case may be. Overall responsibility of implementation of all witness protection orders passed by the Competent Authority shall lie on the Senior Superintendent of Police, UT, Chandigarh. However, the Witness Protection Order passed by the Competent Authority for change of identity and /or relocation shall be implemented by the Department of Home, UT, Chandigarh.
- (i) Upon passing of a Witness Protection Order, the Witness Protection Cell shall file a monthly follow-up report before the Competent Authority.

- (j) In case, the Competent Authority finds that there is a need to revise the Witness Protection Order or an application is moved in this regard and upon completion of trial, a fresh Threat Analysis Report shall be called from the SDPOs/DSPs in charge of the concerned Police Sub-Division.

7. TYPES OF PROTECTION MEASURES:

The witness protection measures ordered shall be proportionate to the threat and shall be for a specific duration not exceeding three months at a time. Such measures may include :

- (a) Ensuring that witness and accused do not come face to face during investigation or trial;
- (b) Monitoring of mail and telephone calls;
- (c) Arrangement with the telephone company to change the witness's telephone number or assign him or her an unlisted telephone number;
- (d) Installation of security devices in the witness's home such as security doors, CCTV, alarms, fencing etc.;
- (e) Concealment of identity of the witness by referring to him/her with the changed name or alphabet;
- (f) Emergency contact persons for the witness;
- (g) Close protection, regular patrolling around the witness's house;
- (h) Temporary change of residence to a relative's house or a nearby city/place;
- (i) Escort to and from the court and provision of Government vehicle or a State funded conveyance for the date of hearing;
- (j) Holding of in-camera trials;
- (k) Allowing a support person to remain present during recording of statement and deposition;
- (l) Usage of specially designed vulnerable witness court rooms which have special arrangements like live video links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he/she is not identifiable;
- (m) Ensuring expeditious recording of deposition during trial on a day to day basis without adjournments;
- (n) Awarding time to time periodical financial aids/grants to the witness from Witness Protection Fund for the purpose of re-location, sustenance or starting a new vocation/profession, as may be considered necessary.
- (o) Any other form of protection measures considered necessary.

8. MONITORING AND REVIEW:

Once the protection order is passed, the Competent Authority would monitor its implementation and can review the same in terms of follow-up reports received in the matter. However, the Competent Authority shall review the Witness Protection Order on a quarterly basis based on the monthly follow-up report submitted by the Witness Protection Cell.

Part III

9. PROTECTION OF IDENTITY:

- (a) During the course of investigation or trial of any offence, an application for seeking Identity protection can be filed in the prescribed form before the Competent Authority through its Member Secretary.

- (b) Upon receipt of the application, the Member Secretary of the Competent Authority shall call for the Threat Analysis Report. The Competent Authority shall examine the witness or his family members or any other person it deem fit to ascertain whether there is necessity to pass an identity protection order.
- (c) During the course of hearing of the application, the identity of the witness shall not be revealed to any other person, which is likely to lead to the witness identification. The Competent Authority can thereafter, dispose of the application as per material available on record.
- (d) Once, an order for protection of identity of witness is passed by the Competent Authority, it shall be the responsibility of the Witness Protection Cell to ensure that identity of such witness/his or her family members including name/parentage/occupation/address/digital footprints are fully protected.
- (e) As long as identity of any witness is protected under an order of the Competent Authority, the Witness Protection Cell shall provide details of persons who can be contacted by the witness in case of emergency.

Part IV

10. CHANGE OF IDENTITY :

- (a) In appropriate cases, where there is a request from the witness for change of identity and based on the Threat Analysis Report, a decision can be taken for conferring a new identity to the witness by the Competent Authority. 7
- (b) Conferring new identities includes new name/profession/parentage and providing supporting documents acceptable by the Government Agencies. The new identities should not deprive the witness from existing educational/ professional/property rights.

Part V

11. RELOCATION OF WITNESS :

- (a) In appropriate cases, where there is a request from the witness for relocation and based on the Threat Analysis Report, a decision can be taken for relocation of the witness by the Competent Authority.
- (b) The Competent Authority may pass an order for witness relocation to a safer place within the UT, Chandigarh or territory of nearby State keeping in view the safety, welfare and wellbeing of the witness or his/her family members. The expenses shall be borne from the Witness Protection Fund.

Part VI

12. WITNESSES TO BE APPRISED OF THE SCHEME :

The Chandigarh Administration and the Chandigarh Police shall give wide publicity to this Scheme. The Investigating Officer and the Court shall inform witnesses about the existence of "Chandigarh Witness Protection Scheme, 2024" and its salient features.

13. CONFIDENTIALITY AND PRESERVATION OF RECORDS :

- (a) All stakeholders including the Police, the Prosecution Department, Court Staff, Lawyers from both sides shall maintain full confidentiality and shall ensure that under no circumstance, any record, document or information in relation to the proceedings under this scheme shall be shared with any person in any manner except with the Trial Court/Appellate Court and that too, on a written order.

(b) All the records pertaining to proceedings under this scheme shall be preserved till such time the related trial or appeal thereof is pending before a Court of Law. After one year of disposal of the last Court proceedings, the hard copy of the records can be weeded out by the Competent Authority after preserving the scanned soft copies of the same.

14. RECOVERY OF EXPENSES :

In case the witness has lodged a false complaint, the Home Department, Chandigarh Administration can initiate proceedings for recovery of the expenditure incurred from the Witness Protection Fund.

15. REVIEW :

In case the witness or the police authorities are aggrieved by the decisions of the Competent Authority, a review application may be filed within 15 days of passing of the orders by the Competent Authority.

(In the name & by order of
Administrator, UT Chandigarh)

Chandigarh :
The 16th August, 2024.

RAJEEV VERMA, IAS,
Adviser to the Administrator,
UT, Chandigarh.

APPENDIX-I

Chandigarh Witness Protection Scheme, 2024**Witness Protection Application****under****Chandigarh Witness Protection Scheme, 2024**

Before,

(To be filed in duplicate)

The Competent Authority,
UT, Chandigarh.

Application for:

1. Witness Protection

2. Witness Identity Protection

3. New Identity

4. Witness Relocation

1. Particulars of the Witness (Fill in Capital):	
1) Name	
2) Age	
3) Gender (Male/Female/Other)	
4) Father's/Mother's Name	
5) Residential Address	
6) Name and other details of family members of the witness who are receiving or perceiving threats	
7) Contact details (Mobile/e-mail)	
2. Particulars of Criminal matter:	
1) FIR No.	
2) Under Section	
3) Police Station	
4) D.D. No. (in case FIR not yet registered)	
5) Cr. Case No.(in case of private complaint)	

3.	Particulars of the Accused (if available/known) : 1) Name 2) Address 3) Phone No. 4) Email id	
4.	Name & other particulars of the person giving/suspected of giving threats	
5.	Nature of threat perception Please give brief detail of threat received in the matter with specific date, place, mode and words used.	
6.	Type of witness protection measures prayed by/for the witness.	
7.	Details of Interim / Urgent Witness Protection needs, if required.	

- Applicant/witness can use extra sheets for giving additional information.

(Full Name with Signature)

Date: _____

Place: _____

UNDERTAKING

1. I undertake that I shall fully cooperate with the competent authority and the Home, Union Territory, Chandigarh and Witness Protection Cell.
2. I certify that the information provided by me in this application is true and correct to my best knowledge and belief.
3. I understand that in case, information given by me in this application is found to be false, Competent Authority under the scheme reserves the right to recover the expensed incurred on me from out of the Witness Protection Fund.

(Full Name with Signature)

Date: _____

Place: _____

CHANDIGARH ADMINISTRATION
HOME DEPARTMENT
(POLICE BRANCH)

Notification

The 16th August, 2024

No. 1683270-HIII(2)-2024/11838.—In exercise of the powers conferred by Sub-Section (3) of Section 48 of THE BHARTIYA NAGARIK SURAKSHA SANHITA, 2023 (ACT 46 of 2023) read with Government of India, Ministry of Home Affairs, Notification bearing No. SO.2506 (E) dated 28.06.2024, the Administrator, Union Territory, Chandigarh, is pleased to frame the following rules :—

1. Short title and commencement :-

- (i) These rules may be called as "Information of arrested persons Rules, 2024".
- (ii) They shall come into force from the date of publication of this notification in the official Gazette.

2. Definitions :- In these rules, unless the context otherwise requires :-

- (a) **"Arrest"** means the arrest of the person as defined under Section 43 of this Sanhita;
- (b) **"Book"** means the Register No. 26 kept and maintained in every police station regarding information of arrest and shall be issued by the office of Superintendent of Police (Head Quarter) containing pages 1-200. It shall be page marked and shall be attested by the Sub Divisional Police Officers (SDPOs) at the opening page as well as on the last page. As and when the register is completed the same shall be deposited with the Moharrir Head Constable (MHC) against proper receipt. The request for getting new register shall be made to the office of Superintendent of Police (Head Quarter) through Sub Divisional Police Officer (SDPO);
- (c) **"Form"** means the form as attached in Annexure "A" of these rules and shall be used for the purpose of providing information of the arrested person;
- (d) **"Information"** means the intimation to the parents, friends, relatives or such other persons as may be disclosed or nominated by the arrested person;
- (e) **"Mode of information"** means the information as defined in sub section (b) of these rules as given through electronic mode i.e. mobile phone, Social Media apps (including WhatsApp), SMS, Landline Phone, email as well as physical mode;
- (f) **"Sanhita"** means the Bhartiya Nagarik Suraksha Sanhita, 2023;

3. Duties of the police officer regarding giving information as provided under section 48 of Sanhita:-

- (i) The police officer or any other person making any arrest under this Sanhita is duty bound to provide information regarding the offence committed as specified in clause (c) of sub- section (1) of Section (2) of this Sanhita.
- (ii) Every police officer or any other person making any arrest under this Sanhita shall give the information regarding such arrest and place where the arrested person is being held to any of his relatives, friends or such other persons as may be disclosed or nominated by the arrested person for the purpose of giving such information.

- (iii) The information of arrest including complete particulars shall also be given to the designated police officer control room as notified vide Chandigarh Administration notification bearing No. 435042-HIII(2)2024/8988 dated 30.06.2024.
- (iv) An entry of the fact as to who has been informed of the arrest of such person shall be made in a book to be kept in the police station in form i.e. Annexure "A" attached with these rules without any delay and shall send the information regarding arrest as specified under clause (d) of sub-section (1) of Section 2 of this Sanhita.
- (v) The police officer shall make an entry in the register as specified in clause (e) of sub- section (1) of Section 2 regarding the information of arrest given by him.
- (vi) The police officer shall fill the complete particulars as prescribed in Annexure "A" of these rules.

(In the name & by order of
Administrator, UT Chandigarh)

Chandigarh :
The 16th August, 2024.

RAJEEV VERMA, IAS,
Adviser to the Administrator,
UT, Chandigarh.

Form (A)**Information of arrested person****Case F.I.R./D.D No.** _____ **Dated** _____**U/S** _____**P.S** _____ **District** _____

1.	Name with alias and Parentage of the Arrestee.	
2.	Mobile No./WhatsApp Mobile No./Email Address	
3.	Present Address of the Arrestee.	
4.	Permanent Address of the Arrestee.	
5.	FIR No./D.D. No. & Section of Law	
6.	Place of Arrest	
7.	Date & Time of Arrest	
8.	Name, Address, e-mail ID & Tel No. Whomsoever to convey the Arrest information.	

9.	Name, Rank & No. of the officer making arrest.	
10.	Reasons/Ground of arrest	
a.	To prevent Accused person from committing any further offence.	
b.	For proper investigation of the offence	
c.	To prevent the Accused person from causing the evidence of the offence to disappear or tampering with such evidence in any manner.	
d.	To prevent such person from making any inducement threat or promise to any person acquainted the facts of the case so as to dissuade him from disclosing such facts to the court or to the Police officer.	
e.	As unless such person is arrested, his presence in the court whenever required cannot be ensured.	Address of the accused yet to be verified.

Witnesses :

1. _____

Signature of Arrestee

Signature of IO

2. _____

PS _____

3. _____

Dated _____

CHANDIGARH ADMINISTRATION
HOME DEPARTMENT
(POLICE BRANCH)

Notification

The 16th August, 2024

No.1683270-HIII(2)-2024/11848.—In exercise of the powers conferred by sub-section (3) of Section 176 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023) read with Government of India Ministry of Home Affairs, Notification bearing No.S.O.2506(E) dated 28.06.2024, the Administrator, Union Territory, Chandigarh, is pleased to notify that with effect from 16.08.2024, the officer in charge of a police station shall, on receipt of every information relating to the commission of an offence which is made punishable for seven years or more, cause the forensic expert to visit the crime scene to collect forensic evidence in the offence and also cause videography of the process on designated mobile phone/tablet or other electronic device provided.

(In the name & by order of
Administrator, UT Chandigarh)

Chandigarh :
The 16th August, 2024.

RAJEEV VERMA, IAS,
Adviser to the Administrator,
UT Chandigarh.

CHANDIGARH ADMINISTRATION
TRANSPORT DEPARTMENT**Notification**

The 16th August, 2024

No. 2/7/210-H-III(7)-2024/12984.—In exercise of the powers conferred by sub- section (3) of Section 13 of The Punjab Motor Vehicles Taxation Act, 1924 (Punjab Act No. 4 of 1924) as in force in the Union Territory of Chandigarh read with the provisions of clause (h) of sub section (2) of Section 65 of the Motor Vehicles Act, 1988, and all other powers enabling him in this behalf, the Administrator, Union Territory, Chandigarh is pleased to exempt all the successful bidders of the e-auction of the choice registration numbers, which was concluded on 01.04.2024, in the public interest, from the payment of penalty which accrued with effect from 02.04.2024 till the date of issuance of this Notification as calculated in accordance with this Administration's Notification bearing No. H-III(7)-2023/9590, dated 07.07.2023.

(By the orders of Administrator,
Union Territory, Chandigarh)Chandigarh :
The 13th August, 2024.VINAY PRATAP SINGH, IAS,
Secretary Transport,
Chandigarh Administration.

CHANGE OF NAME

I, Bimla Chaudhary (D.O.B. 21-04-1967), D/o Bhagwan Dass, W/o Jatinder Kumar, R/o # 1416, Sector 20-B, Chandigarh, have changed my name to Bimla. All may note.

[1202-1]

I, Rakesh Jain, S/o Nand Lal Jain, R/o House No. 142, Sector 9-B, Chandigarh, have changed my name from Rakesh Jain to Raakesh Nand Jain.

[1203-1]

I, Seema, D/o Bakshish Singh, # 3155, Sector 56, Chandigarh, have changed my name from Seema to Simran Kaur.

[1204-1]

I, Jai Narain, S/o Ram Adhar Tiwari, R/o # 2477, Sector 20-C, Chandigarh-160020, have changed my name from Jai Narain to Jai Narain Tiwari.

[1205-1]

I, Shubhangi Neelesh Kumar, W/o Neelesh Kumar, R/o 175-A, Sai Prasad, Sector 51-A, Chandigarh, have changed my name from Shubhangi to Shubhangi Neelesh Kumar. All concerned please note.

[1206-1]

I, Seema, D/o Jagdish Chand & W/o Lekh Raj, House No. 6406-B, Sector 56, Chandigarh, declare that I have changed my name from Seema to Hardei.

[1207-1]

I, Palvi, W/o Akash Gupta, R/o House No. 3366, Sector 35-D, Chandigarh, have changed my name to Palvi Gupta.

[1208-1]

"No legal responsibility is accepted for the contents of publication of advertisements/public notices in this part of the Chandigarh Administration Gazette. Persons notifying the advertisements/public notices will remain solely responsible for the legal consequences and also for any other misrepresentation etc."